

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

SHAWN PRYOR a/k/a GHOST,
MELANIE PRYOR, and THOMAS
PRYOR,

22-CR-182-LJV-JJM
DECISION & ORDER

Defendants.

On December 14, 2022, an indictment charged the defendants—Shawn Pryor, Melanie Pryor, and Thomas Pryor—with conspiring to possess with intent to distribute and conspiring to distribute fentanyl, cocaine, and cocaine base (Count 1).¹ Docket Item 48. The indictment also charged Melanie Pryor with possessing with intent to distribute fentanyl and heroin (Count 15), possessing with intent to distribute fentanyl (Count 16), possessing with intent to distribute buprenorphine (Count 17), and maintaining a drug-involved premises (Count 18). *Id.* The next day, this Court referred the case to United States Magistrate Judge Jeremiah J. McCarthy, for all proceedings under 28 U.S.C. § 636(b)(1)(A) and (B). Docket Item 50.

Months later, Shawn Pryor and Melanie Pryor filed pretrial motions, including motions to suppress. Docket Items 103 and 106. The government responded to each

¹ The indictment also named Cameron Lee, Michael Pryor, and Ahmadja Green as defendants. Docket Item 48. Those three defendants have entered guilty pleas before United States Magistrate Judge Jeremiah J. McCarthy, and Judge McCarthy has issued reports and recommendations recommending that this Court accept those guilty pleas. See Docket Items 162, 166, and 171. Throughout this decision and order, this Court uses “the defendants” to refer only to the remaining defendants: Shawn Pryor, Melanie Pryor, and Thomas Pryor.

of the motions. Docket Items 112 and 113. On February 9, 2024, Judge McCarthy issued a Report, Recommendation, and Order (“RR&O”) recommending that the defendants’ motions to suppress be denied.² Docket Item 152.

The defendants did not object to the RR&O, and the time to do so has now expired.³ For that reason, the defendants have waived their right to have the RR&O reviewed. See Fed. R. Crim. P. 59(b)(2) (“Failure to object in accordance with this rule waives a party’s right to review.”). Based on the absence of any objection, and for the reasons stated in the RR&O, this Court adopts the RR&O with respect to the motions filed by Shawn Pryor and Melanie Pryor. The defendants’ motions to suppress, Docket Items 103 and 106, are DENIED.

SO ORDERED.

Dated: April 10, 2024
Buffalo, New York

/s/ Lawrence J. Vilardo
LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE

² Michael Pryor and Ahmadja Green also filed motions to suppress and motions to dismiss certain counts of the indictment. Docket Items 107, 108, and 119. Judge McCarthy recommended that those motions also be denied. Docket Item 152. Because those defendants have both pleaded guilty, their motions are DENIED AS MOOT.

³ Ahmadja Green objected to the RR&O. Docket Item 154. As noted above, however, see *supra* note 2, Green’s motions are moot in light of her guilty plea, and her objection is therefore moot as well.